

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:14-CV-00662-GCM**

ROBERT RANSOM,)
)
Plaintiffs,)
)
v.)
)
PAUL K. JASZEWSKI,)
)
Defendants.)
_____)

ORDER

THIS MATTER is before the Court on consideration of Plaintiff’s motion to transfer venue to the District of South Carolina. Plaintiff, a resident of South Carolina, filed suit against Defendant, who resides in the Western District of North Carolina, on November 26, 2014, seeking damages for injuries he sustained during a skiing accident in Vail, Colorado. (Doc. No. 1) Plaintiff asserted in his complaint that jurisdiction was proper pursuant to 28 U.S.C. § 1332 because the parties reside in different states. (*Id.*) On August 5, 2015, Plaintiff moved to transfer venue to the District of South Carolina. (Doc. No. 14) Defendant opposes the motion. (Doc. No. 16)

It appears to the Court that venue would not be proper in the District of South Carolina. Pursuant to 28 U.S.C. § 1404(a), the Court may transfer venue to “any other district or division where it might have been brought or to any district or division to which all parties have consented.” Because Defendant has not consented to the transfer, the Court must consider whether this action could have been brought in South Carolina. A plaintiff may bring a civil action in “a judicial district in which any defendant resides, if all defendants are residents of the state in which the district is located” or in “a judicial district in which a substantial part of the events or omissions

giving rise to the claim occurred.” 28 U.S.C. § 1391(b). Defendant is a resident of the Western District of North Carolina, and any argument that he resides in South Carolina would negate diversity jurisdiction. Moreover, all of the events giving rise to the claim undisputedly occurred in Colorado. Thus, the action could not have been brought in the District of South Carolina. Plaintiff’s motion is **DENIED**.

SO ORDERED.

Signed: October 14, 2015

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

